



## City Manager's Office

### City Manager Order 20-01

Temporary Outdoor Customer  
Service Areas

#### MAYOR

MARIA REGAN  
GONZALEZ

#### CITY COUNCIL

EDWINA GARCIA  
MARY SUPPLE  
SIMON TRAUTMANN  
BEN WHALEN

#### CITY MANAGER

KATIE RODRIGUEZ

Pursuant to Mayoral Proclamation and Council Resolution, the City of Richfield has declared a Peace Time Emergency due to the COVID-19 Health Pandemic.

On May 20, 2020, Governor Walz outlined the next phase in Minnesota's Stay Safe Plan, including allowing limited outdoor dining at food establishments beginning June 1, 2020. Reopening guidelines include:

- 1) Limited to outdoor dining or curbside pick-up/delivery only
- 2) Maximum of 50 individuals in an outdoor dining area
- 3) Party size limited to four (4) total or six (6) if one family unit
- 4) Tables and chairs must be six feet apart
- 5) Reservations are required for all patrons. No walk-in customers allowed
- 6) Employees must wear masks or face shields. Customers are strongly recommended to wear masks when not eating or drinking.
- 7) Develop and implement a Covid-19 Preparedness Plan
- 8) Establish regular disinfection routine and train workers

In furtherance of the federal, state and local government response, there is a need to provide outdoor seating and customer service areas for food establishments to serve patrons safely during the Covid-19 pandemic.

Effective immediately, and notwithstanding any city code provision to the contrary, any food establishment located in a commercial, mixed use, or residential zone may establish customer seating or service areas on its property to facilitate safe commercial activity conducted consistent with federal and state orders or guidelines. The temporary outdoor use may occur in parking areas or green space areas without need for a variance. This temporary outdoor seating provision is only valid while food establishments are limited to interior occupancy of 50% or less.

No city permits are required prior to establishing these customer areas, but operators must prepare and submit to the Director of Public Safety:

- 1) A drawing of the proposed layout including the specific number of tables and chairs.
- 2) A written plan for how staff will monitor the service of alcoholic beverages so that underage individuals are unable to access alcohol from those establishments

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licensed to sell alcoholic beverages. At a minimum, stanchions must be used to fence in the outdoor dining area.

- 3) A traffic management plan. Establishments must provide on-site traffic and operational management. Customer waiting, seating or service areas must not impede sidewalk usage nor block disabled person parking spaces or ramps, nor shall any activity create nuisance conditions for abutting properties
- 4) A list of hours of operation
- 5) Written authorization of the property owner to introduce temporary outdoor seating
- 6) If liquor is to be dispensed or consumed in the temporary outdoor area, the licensee must obtain a modification to their defined licensed premises area and show proof of insurance coverage applicable to the outdoor area. The licensee shall maintain such insurance in effect at all times during the term of this order. The City shall be named as an additional named insured in the policy providing such insurance.

On-site signage and storage is authorized as well as limited on-site directional signage. Temporary tables, tents and sun shelters may be erected. Tents require a fire code permit; the business or property owner must submit plans and a [fire permit application](#) for accelerated review by city staff. The fee for the fire permit will be waived.

The terms and conditions of this Order may be modified or clarified by subsequent order and those changes may have retroactive effect, including but not limited to potential changes in establishment hours of operation based on complaints received by the city.

This order will continue indefinitely until repealed by subsequent City Manager order or Council action, or until termination of the state of emergency. Effective this 26th day of May, 2020.

  
Katie Rodriguez, City Manager